

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 /059 W

-----002341 242320Z /66

R 231650Z SEP 77

FM AMEMBASSY ROME

TO SECSTATE WASHDC 7395

INFO AMCONSUL FLORENCE POUCH

AMCONSUL MILAN POUCH

AMCONSUL PALERMO POUCH

AMCONSUL TURIN POUCH

AMCONSUL GENOA POUCH

AMCONSUL NAPLES

AMCONSUL TRIESTE POUCH

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E.O. 11652: N/A

TAGS: PFOR, IT, IT

SUBJECT: DEVELOPMENTS ON REVISION OF ITALIAN CONCORDAT

1. VATICAN AND ITALIAN NEGOTIATORS IN LATE AUGUST AGREED ON THE SUBSTANCE OF THE REVISION OF THE ITALIAN CONCORDAT. THE KEY POINTS OF THE NEW DRAFT WERE TRANSMITTED TO THE PARLIAM-
MENTARY PARTY LEADERS BY PRIME MINISTER ANDREOTTI IN EARLY SEP-
TEMBER. DOCUMENT WAS PROMPTLY LEAKED TO THE WEEKLY IL MONDO WHICH
CARRIES IT IN ITS ISSUE OF SEPTEMBER 14. THE FOLLOWING
ANALYSIS IS BASED ON AN EXAMINATION OF THIS DOCUMENT AND
TALKS WITH VATICAN NEGOTIATORS AND ITALIAN OFFICIALS CLOSE
TO THE NEGOTIATIONS.

2. THE NEW DRAFT IN SOME RESPECTS GOES FARTHER IN UPDATING
THE CONCORDAT THAN THE DRAFT ANALYZED IN ROME 19770. SOME
OF ITS MAJOR PROVISIONS ARE: ITALY WILL NO LONGER HAVE A
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"STATE RELIGION, ITS CAPITAL, ROME, WILL NO LONGER HAVE
"SACRED CHARACTER," PRIESTS AND THEOLOGICAL STUDENTS WILL NO
LONGER BE EXEMPT AUTOMATICALLY FROM MILITARY SERVICE,
CLERICS WILL NO LONGER BE PREVENTED FROM JOINING POLITICAL
PARTIES AND THE NOMINATION OF BISHOPS WILL NO LONGER REQUIRE
GOVERNMENT APPROVAL. IN PRESENTING DOCUMENT TO THE
PARTIES, ANDREOTTI TOLD THEM THAT THE CONCORDAT IS BEING

RENEWED IN ACCORDANCE WITH THE SPIRIT OF ITALIAN DEMOCRACY.

3. ON THE THREE THORNY ISSUES--MARRIAGE, STATE TREATMENT OF ECCLESIASTICAL ENTITIES AND EDUCATION--THE NEW DRAFT IS CONSIDERED MORE PRECISE:

A. ECCLESIASTICAL ENTITIES WILL BE JURIDICALLY RECOGNIZED BY THE SENATE UPON REQUEST PROVIDED "THEY HAVE RELIGIOUS AND CLERICAL OBJECTIVES EVEN IF AT THE SAME TIME THEY PURSUE OBJECTIVES OF EDUCATION, CULTURE, ASSISTANCE AND WELFARE". THERE HAD BEEN MUCH CRITICISM OF PREVAILING PRACTICE WHICH AUTOMATICALLY ACCORDED JURIDICAL RECOGNITION TO CHURCH ENTITIES WITHOUT REFERENCE TO THEIR GOALS OR OBJECTIVES.

B. RELIGIOUS MARRIAGES WOULD NOT BE AUTOMATICALLY REGISTERED BY THE STATE "WHEN THERE EXISTS AMONG THE MARRIAGE PARTNERS IMPEDIMENTS DERIVING FROM PREVIOUS MARRIAGES WHICH HAVE VALID CIVIL EFFECTS". IN ADDITION DISSOLUTION OF MARRIAGES BY ECCLESIASTICAL COURTS SHALL HAVE CIVIL EFFECT ONLY WHEN REQUESTED BY BOTH OR ONE OF THE PARTNERS AND "ONLY AFTER THEY ARE SUBJECTED TO THE SAME DELIBERATIVE PROCESS THAT IS FORESEEN FOR THE VALIDATION OF NON-ITALIAN COURT SENTENCES".

C. RELIGIOUS EDUCATION WILL NO LONGER BE OBLIGATORY. AT THE ELEMENTARY LEVEL IT SHALL BE OFFERED TO STUDENTS WHOSE PARENTS REQUEST IT. AT THE SECONDARY LEVELS RELIGIOUS EDUCATION WILL LIMITED OFFICIAL USE

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BE OFFERED BY STUDENTS WILL BE ASKED WHEN REGISTERING IF THEY "WISH TO ATTEND".

4. IF THE PARTY LEADERS DO NOT INTERPOSE SUBSTANTIVE OBJECTIONS, WHICH WOULD HAVE TO BE REFERRED BACK TO THE NEGOTIATING COMMITTEE, BY EARLY OCTOBER, THE SENATE AND THEN THE CHAMBER OF DEPUTIES WILL HOLD DEBATES ON THE PROPOSED REVISION OF THE CONCORDAT. VATICAN NEGOTIATOR TOLD US THAT IF THE PARTY LEADERS GIVE THEIR ASSENT IN CURRENT ROUND OF CONSULTATIONS, HE EXPECTED THE PROCESS OF REVISION TO BE COMPLETED BEFORE CHRISTMAS, 1977. GARDNER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CHURCH STATE RELATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 23-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Document Number: 1977ROME15611
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770349-0056
Format: TEL
From: ROME
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770926/aaaaavpy.tel
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Litigation Code IDs:
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Litigation History:
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Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1146025
Secure: OPEN
Status: NATIVE
Subject: DEVELOPMENTS ON REVISION OF ITALIAN CONCORDAT
TAGS: PFOR, SOCI, IT
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/6cdb2a3e-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009